



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

February 24, 2023

BY ECF

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court, Southern District of New York
Daniel Patrick Moynihan Courthouse, 500 Pearl Street
New York, New York 10007

Re: *In re: New York City Policing During Summer 2020 Demonstrations,*
No. 20-CV-8924 (CM) (GWG)
This Letter Relates to All Cases

Dear Judge Gorenstein:

We write on behalf of the non-stayed Plaintiffs in these consolidated cases to provide the deposition charts the Court requested in its Order. ECF No. 874. Please note that the chart for the depositions Plaintiffs have taken is current as of February 17, 2023, and separates depositions by days instead of deponents (*e.g.*, Chief Dowling appears twice, representing one fact and one 30(b)(6) day). Ex. A. The chart for depositions to be taken by Plaintiffs is organized by deponent and indicates the number of anticipated deposition days, whether a half-day or more, and whether the deponent is cross-designated, or solely designated, as a 30(b)(6) witness.¹ Ex. B.

Plaintiffs additionally note two things. *First*, Officer Michael Sher remains on the deposition list as Defendants have not yet confirmed that they will produce his deposition transcript, taken in another matter, and that they will not object to its use here, as Plaintiffs have requested. That deposition will be withdrawn once Defendants provide the transcript and confirmation. *Second*, Defendants have scheduled Chief Juanita Holmes and Lt. Eric Dym but continue to raise objections to those depositions in their reply. It is not clear why Defendants did not instead schedule deponents to whom Defendants have not raised specific objections or whether in doing so they are withdrawing their objections.

¹ Should the Court prefer native Excel files, Plaintiffs can email copies to chambers. These charts do not include any Plaintiff depositions yet to be taken by Defendants.

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We thank the Court for its continued attention to this matter.

Respectfully submitted,

s/ Lillian M. Marquez

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CC: All counsel of record